

### **REMARKS**

Claims 2-42 and 45-63 are pending in this application. Claims 17, 18, 26, 42, 45, 53, and 61 are independent. In light of the remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner objected to the specification and rejected claims 2-42 and 45-63 under 35 U.S.C. §102(b) as being anticipated by Dymetman, Intelligent Paper (hereinafter “Dymetman”). Applicant respectfully traverses this rejection.

### **Preliminary Comments**

This Amendment is being filed together with Applicant’s Initiated Interview Request Form. Prior to the Examiner’s formal consideration on the record of the arguments presented herein, Applicant respectfully requests the Examiner contact the undersigned to schedule and conduct an Interview.

### **Objection to Specification**

The Examiner objects to the specification as failing to provide proper antecedent basis for the claimed subject matter. Specifically, the Examiner asserts that the specification does not provide antecedent basis for the term “computer-readable medium.”

By this amendment, Applicant has amended the specification to recite “a computer-readable medium encoded with a computer program comprising instructions for causing the computer to determine...” as requested by the Examiner. Applicant submits that this amendment is not new matter as the specification provides ample support for this amendment, for example in paragraph [0051] of the publication of the present application. Based on this amendment, it is respectfully requested that the outstanding rejection be withdrawn.

### Claim Rejections – 35 U.S.C. §102

In support of the Examiner's rejection of claim 61, the Examiner asserts that Dymetman discloses all of the claim elements, including "a plurality of regions, each of which represents an area on at least one imaginary surface, wherein the imaginary surface represents physical positions in a unique and continuous manner, and wherein the physical positions are coded by a position coding pattern and wherein the position coding pattern is incapable of being present in its entirety on any single base." Applicant respectfully disagrees with the Examiner's characterization of this reference.

Dymetman discloses marks that code a page identifier (*page-id*) and a location (*pointer-loc*) on a page. There is no correspondence in Dymetman to the imaginary surface as defined in the claim. Dymetman does not disclose an imaginary surface that represents physical positions in a unique and continuous manner, wherein the physical positions are coded by a position-coding pattern and wherein the position-coding pattern is incapable of being present in its entirety on any single base. Instead, Dymetman teaches a coding pattern capable of coding a digital space consisting of  $2^{64}$  digital pages of identical size. All digital pages contain the same positions (*pointer-loc*), and are distinguished by the page identifier (*page-id*). The digital pages have a maximum size of 5x5 feet (cf. page 397, first paragraph), i.e. a size which indeed allows the digital page to be present in its entirety on a single base (by the corresponding local positions being encoded on the base). At a couple of places in the Office Action, the Examiner admits that an imaginary space is provided in Dymetman (cf. page 9, line 9; page 14, line 18), but fails to realize that the imaginary space of Dymetman does not correspond to the imaginary surface of the claimed invention. Thus, the imaginary surface of Dymetman does not represent physical positions in a unique and continuous manner. As Dymetman fails to teach or suggest these claim elements, Applicant respectfully submits that Dymetman fails to anticipate claim 61.

Further, the central unit of Dymetman does not store particulars about a plurality of regions, each of which represents an area on the imaginary surface. On the contrary, the regions defined by the *page-id* belong to different surfaces. However, claim 61 clearly requires "wherein

particulars are stored in the central unit about a plurality of regions, each of which represents an area on at least one imaginary surface.”

For all of the reasons set forth above, Applicant respectfully submits that claim 61 is not anticipated by Dymetman as Dymetman fails to teach or suggest all of the claim elements. It is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-16 and 62-63 are allowable for the reasons set forth above with regard to claim 61 at least based on their dependency on allowable claim 61. It is further respectfully submitted that claims 17, 18, 26, and 42 include elements similar to those discussed above with regard to claim 61 and thus these claims, together with claims dependent thereon, are allowable for the reasons set forth above with regard to claim 61.

Claim 45 requires “recording information using at least one user unit, wherein the information includes at least one position on a two dimensional coordinate reference, further wherein the two dimensional coordinate reference represents physical positions in a unique and continuous manner, and represents a physical area which is incapable of being present in its entirety on any single surface; and sending the information to a central unit, wherein the central unit contains particulars about a plurality of regions, and further wherein each region represents an area on the two dimensional coordinate reference.”

Further, claim 53 requires “at least one user unit configured to record information including at least one position described in a two dimensional coordinate reference, further wherein the two dimensional coordinate reference represents physical positions in a unique and continuous manner, and represents a physical area which is incapable of being present in its entirety on any single surface; and a central unit, configured to receive the information from the at least one user unit, which identifies a region on the two dimensional coordinate reference based upon the at least one position.”

Clearly, the digital space provided in Dymetman is not two-dimensional, but has a lot more dimensions depending on the number of page identifiers. Also, Dymetman does not

disclose that a central unit contains particulars about a plurality of regions, wherein each region represents an area on the two-dimensional coordinate reference. The page identifiers of Dymetman do not represent regions on a two-dimensional surface.

As such, Applicant respectfully submits that claims 45 and 53 are not anticipated by Dymetman as Dymetman fails to teach or suggest all of the claim elements. It is respectfully requested that the outstanding rejection be withdrawn. It is respectfully submitted that claims dependent on claims 45 and 53 are allowable based on their dependency on allowable claims.

### Conclusion

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisin Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: August 29, 2008

Respectfully submitted,

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